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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,138	03/17/2005	Francis Roy	5001-1211	2310

466 7590 02/06/2007
YOUNG & THOMPSON
745 SOUTH 23RD STREET
2ND FLOOR
ARLINGTON, VA 22202

EXAMINER

RODRIGUEZ, RUTH C

ART UNIT	PAPER NUMBER
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3677

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/528,138	Applicant(s) ROY, FRANCIS	
	Examiner Ruth C. Rodriguez	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 17 March 2005 has been considered by the examiner for this Office Action.

Claim Objections

2. Claims 1 and 2 are objected to because of the following informalities:
 - Claim 10, line 4, recites "a strap" and this recitation makes the claim indefinite since it is unclear whether this is a double inclusion where the strap is the same as the watch strap recited in the first line or whether this is an additional strap although the disclosure of the application does not support an additional strap in combination with the disclosed invention.
 - Claim 10, line 12, "a" (second occurrence) should be deleted.
 - Claim 10, line 14, "a" should be deleted.
 - Claim 14, between the third and fourth lines, recites "a space" and this recitation makes the claim indefinite since it is unclear whether this is a double inclusion where the space is the same as the space recited in the second line or whether this is an additional space although the disclosure of the application does not support an additional space for the disclosed invention.

Correction is required.

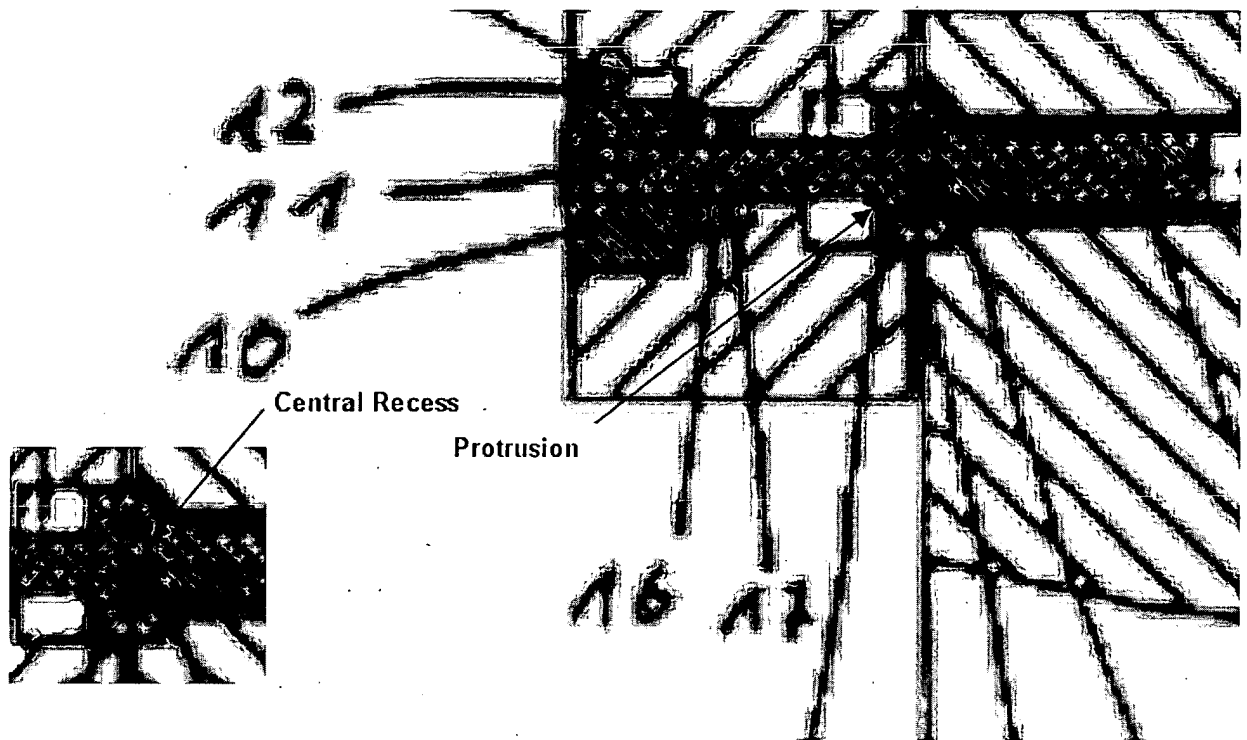
Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over International Patent Document WO 93/1486 (WO '486).

Device for fastening a watch strap (3) to a watch case (1) comprising a hinge pin (6) integral with an end of the watch strap, a fastening element (10,11,17) attached to or integrated to the watch case provided with two lugs (2) defining between them a space to receive the hinge pin (Figs. 3 and 4). Each of these lugs comprising an axial recess (recess around 11) leading to the space (Figs. 3 and 4). Each of the axial recesses houses an endstone (11) mounted in a sliding manner in the recess and bearing a push button (10) attached to an external end of the endstone (Figs. 3 and 4)). The hinge pin comprising on a lateral face an annular housing (surrounding the hinge pin) having a groove (recess provided to house a protrusion of the end stone when the push button is pressed as illustrated below) defining an advantageous orientation (Figs. 3 and 4). The annular housing receiving a protrusion (end of the endstone 11 as illustrated in Fig.



3 that protrudes from the housing when the push button in depressed) located on the lug (Figs. 3 and 4). The button must be pushed and simultaneously the strap must be in the advantageous orientation with respect to the hinge pin for a user to fasten or remove the watch strap from the watch case (to fasten or the watch strap to/from the watch case the groove serves as a guide and provides the advantageous orientation so that the end of the hinge pin as illustrated in Fig. 3 enter a groove defined at the end of the endstone 11). WO '486 fails to disclose that the hinge pin is integral with the watch case and that the fastening device is attached to or integrated to an end of the watch strap provided with two lugs. However, it would have been obvious to one having ordinary skill in the art at the time of Applicant's invention to provide the device with the hinge pin being integral with the watch case and the fastening device being attached to or integrated to an end of the watch strap provided with two lugs because it has been

held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 167.

The endstone is mounted slidably in an end tip in the recess (Figs. 3 and 4).

The end tip (19) is comprised by two parts (wall defining the recess), an internal part (wall defining the recess and housing an end of a return spring 17) receiving a return spring (17) and an external part of the endstone and an external part (wall defining the recess where the push button is located) housing the push button.

The protrusion comprises guiding cut (providing an access to the recess shown in the figure above) and a central recess (shown in the figure above) housing an external end of a pivot the hinge pin that is aligned on a longitudinal axis of the axial recess.

A fastening element is fitted with two lugs (2) defining between them a space receiving a hinge pin (6). Each of the lugs comprising an axial recess (recess around 11) leading to the space comprised between the lugs (Figs. 3 and 4). Each the axial recess housing an endstone (11) mounted in a sliding manner in the recess and bearing a push button (10) external end of the endstone. Each lug comprises, on an internal face, a protrusion (end of the endstone 11 as illustrated in Fig. 3 that protrudes from the housing when the push button is depressed). The protrusion is insertable within an annular housing (surrounding the hinge pin) formed on a lateral surface of the hinge pin when the fastening element is in an advantageous orientation with respect to the hinge pin (as illustrated and explained above).

The protrusion further comprises a lateral and oblique guiding cut (providing an access to the recess shown in the figure above) and a central recess (shown in the figure above) housing external ends of pivots of a the hinge pin.

Response to Arguments

5. Applicant's arguments filed 13 November 2006 have been fully considered but they are not persuasive.

6. The Applicant argues that WO'486 fails to disclose the claimed invention because it does not have a protrusion as recited on the claims. The Examiner fails to be persuaded by this argument. Figure 3 (as shown above) illustrates that a protrusion (tip of the endstone) protrudes from the lug when the push button is depressed. Additionally, this protrusion has a central recess as claimed and shown above and it must have a guide cut that will allow entrance of the tip of the hinge pin within this recess. Therefore, claims 10-15 remain rejected under 35 U.S.C. 103(a) as being unpatentable over International Patent Document WO 93/1486.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gaylord (US 2,870,509 and US 2,992,467), Gay (US 4,716,631), Howald (US 6,014,793), Wild (US 6,401,307 B1), Nussbaum (US 6,923,593 B2), European Patent Document EP 0 133 068 A1, Swiss Patent Document CH 664 663 G A3, International Patent Document WO 93/10486, British Patent Document UK 2 264 628 A and UK 2 297 236 A and French Patent Document FR 2 743 641 are cited to show state of the art with respect to hinge pins having similar features to the ones being claimed in the current application and some having a fastening system for used with the hinge pins.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C. Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

rcr
February 3, 2007


ROBERT J. SANDY
PRIMARY EXAMINER